



Applicable Law Checklist

This form is authorized by the City of Niagara Falls Building By-law [2013-178]
Updated: Oct. 2023

A. Project information

Street Address:

Unit No.

Lot/Con:

This form describes conditions where approvals from various other agencies are required before a building permit can be issued. It is recommended that these approvals be completed prior to applying for a building permit, since they may delay or prevent permit issuance. For assistance with the individual approvals listed, please consult with the applicable agency. Further information with regard to the individual agencies and contact for such is contained at the conclusion of this form.

B. Heritage – City of Niagara Falls Planning Department

Are you proposing to demolish, alter, add to or otherwise modify a building that is listed on the City of Niagara Falls heritage inventory?

Yes No

Is the building / property designated or in the process of being designated?

Yes No

Is the property located in a Heritage District or study area?

Yes No

C. Zoning – Niagara Escarpment Commission

Does the property exist within the jurisdiction of the Niagara Escarpment Commission?

Yes No

D. Wetlands, Shorelines & Watercourses – Niagara Peninsula Conservation Authority

Does the property abut a ravine, watercourse, wetland or shoreline?

Yes No

E. Transportation Routes – Ontario Ministry of Transportation

Is the property within 45m of a highway or 180m from any highway intersection?

Yes No

Is the property within 395m of a controlled highway intersection?

Yes No

Is this a major traffic generating project located within 800m of a highway?

Yes No

F. Environmental Approvals – Ontario Ministry of the Environment

Is the property an industrial or commercial property being changed to a more sensitive use?

Yes No

Is the property a former waste disposal site?

Yes No

Is the project a major industrial, commercial or government project?

Yes No

Is this a renewable energy project?

Yes No

G. Agriculture and Farms – Ontario Ministry of Agriculture and Food

Is the proposed building a farm building that will house animals or manure, or is it a milk processing plant?

Yes No

H. Education and Child Care Centres – Ontario Ministry of Education

Does the project involve the demolition of a school or is a daycare proposed in any portion of the building?

Yes No

I. Seniors / Long Term Care Centres & X-Ray Equipment – Ontario Ministry of Community and Social Services

Is the project a Seniors / Long term Care project whereby Government funding is being sought?

Yes No

Does the project include spaces for the use of X-Ray equipment?

Yes No

J. Funeral Home – Ontario Ministry of Consumer and Business Services

Does the project involve any building in which funeral services are conducted?

Yes No

K. Declaration of Owner

I, _____, certify that the information provided on this document is true to the best of my knowledge and that all required approvals related to the relevant applicable laws have been enclosed and submitted with the application for permit for this project.

Date:

Signature:

Personal information contained in this form is collected under the authority of subsection 8(1.1) of the *Building Code Act, 1992*, and will be used in the administration and enforcement of the *Building Code Act, 1992*. Questions about the collection of personal information may be addressed to the Chief Building Official of the City of Niagara Falls.

Completing this Form**B. Heritage - Ontario Heritage Act, s. 27, 30, 33, 34, 40.1 & 42**

The City of Niagara Falls has designated certain heritage buildings and maintains a list of building of heritage interests. Specific areas have also been established as Heritage Conservation District. Planning and/or City Council approval for demolition, alteration and construction is required if the subject property is affected.

Contact: City of Niagara Falls Planning Division, 905 356 7521 ext.4234/4235, planning@niagarafalls.ca

C. Zoning - Niagara Escarpment Planning and Development Act

Where construction is proposed in the area under the jurisdiction of the Niagara Escarpment Commission and development permit is required to before a building permit can be issued.

Contact: Niagara Escarpment Commission, escarpment.org

D. Wetlands, Shorelines & Watercourses - Conservation Authorities Act s.28, regulation 166/06

Development within certain conservation regulated areas requires construction and fill permits from the conservation authority before a building permit can be issued.

Contact: Niagara Peninsula Conservation Authority, 905 788 3135, info@npca.ca

E. Transportation Routes - Public Transportation Act s. 34/38

Ministry authorization is required for construction of all buildings within certain distances of a highway or intersection. Where major developments will generate significant amounts of traffic, such as a shopping centre, the distance is extended to 800m.

Contact: Ministry of Transportation, www.mto.gov.on.ca

F. Environmental - Conservation Authorities Act s.28 (1)(c), regulation 166/06

Development within certain conservation regulated areas requires construction and fill permits from the conservation authority before a building permit can be issued.

Contact: Ministry of Environment. 1 800 461 6290

G. Agriculture and Farms - Nutrient Management Act 2002 s.11 regulation 267/03, Milk Act s.14

Buildings or structures that house animals or store manure may require a nutrient management strategy approved by the Ministry. The Ministry must also determine that a milk processing plant is necessary and authorize it before a building permit can be issued

Contact: Ministry of Agriculture Food and Rural Affairs, 1 877 424 1300

H. Education and Child Care Centres - Education Act s.194, Day Nurseries Act, s.5 or regulation 262

The Minister must approve the demolition of all school buildings. Ministry plan approval is required if a new or existing building is proposed to be used or altered / renovated to be used as a day nursery, or if an existing day nursery is altered or renovated.

Contact: Ministry of Education, 905 895 9192

I. Seniors / Long Term Care Centres and X-Ray Equipment - Elderly Persons Centres Act s.6, Healing Arts Radiation Act

Reports must be submitted to and approved by the Minister for all seniors centres to which government funding applies. Where X-Ray equipment is used for primary exposure to humans approvals are required before a building permit can be issued.

Contact: Ontario Ministry of Community and Social Services, 1 888 789 4199

J. Funeral Home - Funeral Directors and Establishments Act, regulation 469

Where a building houses a funeral establishment necessary approvals are required to be obtained before a building permit can be issued.

Contact: Ontario Ministry of Consumer and Business Services, 1 800 387 4458